

GD-007-PHL-MED: Standards For and Evaluation of Medical and Health-Related Facilities and Services Provided to Inmates Who are Confined in a State Prison

STANDARDS FOR AND EVALUATION OF MEDICAL AND HEALTH-RELATED FACILITIES AND SERVICES PROVIDED TO INMATES WHO ARE CONFINED IN A STATE PRISON

This guidance document provides information about the standards applicable to medical and health-related facilities and services provided to inmates who are confined in a state prison and options for demonstrating that an evaluation has verified compliance with the applicable standards.

1. STATUTORY AND REGULATORY AUTHORITY

Arizona Revised Statutes (A.R.S.) § 36-402(A)(10) provides an exemption from health care institution licensing, supervision, regulation, and control by the Arizona Department of Health Services (Department) for medical and health-related facilities and services provided to inmates who are confined in a state prison. The subsection also requires the Department of Corrections (DOC) to evaluate the facilities and services provided to inmates to determine whether the facilities and services comply with the applicable standards adopted by the Department and to submit the results of the annual evaluation, including the actual findings and a plan of corrections for any deficiencies, to the Department.

A.R.S. § 36-405(A) authorizes the Department to adopt rules to establish minimum standards and requirements for the construction, modification, and licensing of health care institutions. A.R.S. § 36-405(B) authorizes the Department to, by rule, class and subclass health care institutions according to character, size, range of services provided, medical or dental specialty offered, duration of care, and standard of patient care required for purposes of licensure.

2. STANDARDS FOR THE EVALUATION OF MEDICAL AND HEALTH-RELATED FACILITIES AND SERVICES IN A STATE PRISON

The Department has established health care institution classes and subclasses and adopted standards for specific classes and subclasses in Arizona Administrative Code (A.A.C.) Title 9, Chapter 10. The standards for Unclassified Health Care Institutions in 9 A.A.C. 10, Article 17, are used for health care institutions that do not meet any of the established and defined classes or subclasses and for health care institution classes and subclasses that do not have specific standards. Because there is a wide range of medical and health-related services provided to inmates in state prisons, the Department has determined that the standards in 9A.A.C. 10, Article

17 are the most appropriate standards for evaluating medical and health-related services provided to inmates in a state prison.

The National Commission on Correctional Health Care (NCCHC) has developed accreditation standards for medical and health-related facilities and services provided to inmates who are confined in a state prison that are specific to the population being served and the range of services being provided. The Department has determined that NCCHC accreditation demonstrates that an evaluation of the medical and health-related facilities and services has been conducted and the medical and health-related facilities and services comply with the standards in 9A.A.C. 10, Article 17. In addition, the Department will accept, in lieu of an annual report of an evaluation of the medical and health-related facilities and services conducted by DOC, a copy of the accreditation report, including findings and deficiencies, or an annual accreditation maintenance report.